

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

SAUL EWING LLP

Stephen B. Ravin, Esquire

Turner N. Falk, Esquire

One Riverfront Plaza

1037 Raymond Blvd., Suite 1520

Newark, NJ 07102-5426

Telephone: (973) 286-6714

E-mail: stephen.ravin@saul.com

turner.falk@saul.com

Proposed Counsel to the Debtors and Debtors in Possession

In re:

NEW JERSEY ORTHOPAEDIC INSTITUTE LLC,
et al.,

Debtors.¹

Chapter 11

Case No. 25-11370 (JKS)

(Jointly Administered)

**DECLARATION OF KINGA SKALSKA-DYBAS
CHIEF FINANCIAL OFFICER OF THE DEBTORS**

I, Kinga Skalska-Dybas, hereby declare as follows:

1. I am the Chief Financial officer (“CFO”) of the above-captioned debtors and debtors in possession (collectively, the “Debtors”). I am generally familiar with the Debtors’ day-to-day operations, business and financial affairs, and books and records.
2. Collectively, the Debtors form an orthopedic and sports medicine practice that provides medical and surgical services to patients. The practice also offers services to numerous

¹ The last four digits of Debtor New Jersey Orthopaedic Institute LLC’s tax identification number are 3560; the last four digits of Debtor Northlands Orthopaedic Institute LLC’s tax identification number are 9828. The location of both Debtors’ principal place of business and the Debtors’ service address in these Chapter 11 Cases is 504 Valley Road, Suite 200, Wayne NJ 07470.

local schools, as well as medical coverage during high school football games. As of the Petition Date, the practice has four doctors and one mid-level provider.

3. In the ordinary course of business, the Debtors use phone and internet service, as well as natural gas, water, electricity, and other services provided by utility companies (the “Utility Services”).

4. Most traditional utility services, excepting phone and internet, are paid for via the Debtors’ landlord Valley Partners LLC and are included in the rent.

5. Attached to the Motion as **Exhibit A** is a list of all or substantially all of the utility companies and landlords providing utilities via rent² (the “Utility Companies”) that were providing services to the Debtors as of the Petition Date.

6. Preserving Utility Services on an uninterrupted basis is essential to the Debtors’ continued operations. Any interruption in Utility Services, even for a brief period of time, would seriously disrupt the Debtors’ ability to conduct their business and would result in a decline in the Debtors’ revenues. Such a result could seriously jeopardize the Debtors’ efforts to maximize value for the benefit of their creditors. Therefore, it is critical that Utility Services continue uninterrupted during these chapter 11 cases.

7. The Debtors anticipate that they will have funds from post-petition receipts to pay post-petition utilities.

8. The Debtors anticipate having sufficient resources to pay, and intend to pay, all valid post-petition obligations for utility services in a timely manner. In addition, the Debtors’ reliance on Utility Services for the operation of their Business and preservation of the value of their assets provides them with a powerful incentive to stay current on their utility obligations.

² As discussed elsewhere in the Motion, the Debtors submit that a landlord cannot be a “utility” for section 366 purposes, but include their landlord in this Motion out of an abundance of caution.

9. By this Motion, the Debtors seek to prevent any Utility Company from terminating Utility Services on account of prepetition claims.

10. The Debtors further seek to establish a process for the determination of adequate assurances, if necessary, pursuant to section 366 of the Bankruptcy Code.

11. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Dated: February 28, 2025

Respectfully submitted,

/s/ Kinga Skalska-Dybas
Kinga Skalska-Dybas
Chief Financial Officer